

**Senate Bill No. 1354**

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Passed the Senate August 21, 2008

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*Secretary of the Senate*

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Passed the Assembly August 14, 2008

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*Chief Clerk of the Assembly*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2008, at \_\_\_\_\_ o'clock \_\_\_\_M.

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*Private Secretary of the Governor*

## CHAPTER \_\_\_\_\_

An act relating to school facilities.

## LEGISLATIVE COUNSEL'S DIGEST

SB 1354, Torlakson. School facilities: construction.

The Leroy F. Greene School Facilities Act of 1998 requires the State Allocation Board to allocate to applicant school districts, prescribed per-unhoused-pupil state funding for construction and modernization of school facilities, including hardship funding, and supplemental funding for site development and acquisition. The act requires the board annually to adjust the per-unhoused-pupil apportionment for new construction to reflect construction cost changes and for modernization to reflect inflation, as set forth in the statewide cost index for class B construction as determined by the board. A school district is required, as a condition of the receipt of funds, to certify that the grant amount and local funds are sufficient to complete the school construction project for which the grant is intended.

This bill would require the Superintendent of Public Instruction to examine and evaluate the ability of school districts, as defined, to build complete schools as approved by the State Department of Education with the funds provided by the State Allocation Board and an equal amount contributed by the school district under the Leroy F. Greene School Facilities Act of 1998 for the purpose of examining the standards to ensure that the standards achieve educational adequacy in terms of the facilities necessary for the school district to provide its educational program, assessing the level to which schools constructed with state funding assistance met standards for educational adequacy in terms of the facilities necessary for the school district to provide its educational program, and examining factors that enable them to build facilities to meet educational adequacy.

The Superintendent would be required to report the findings to the Legislature, the State Allocation Board, and the Governor within 9 months of the initiation of the evaluation.

The Superintendent of Public Instruction would be required to perform the duties specified in the bill with the existing resources

of the State Department of Education. If the Superintendent of Public Instruction determines there are insufficient existing resources available to the department to implement these provisions, the Superintendent would be required to notify the Director of Finance and would be authorized to solicit and receive private funds for purposes of implementing the provisions. The Department of Finance would be required to determine when sufficient private funds have been received to implement these provisions.

*The people of the State of California do enact as follows:*

SECTION 1. (a) The Superintendent of Public Instruction shall examine and evaluate the ability of school districts, as defined in Section 17070.15 of the Education Code, to build complete schools as approved by the State Department of Education pursuant to Section 17070.50 of the Education Code with the funds provided by the State Allocation Board and an equal amount contributed by the school district under the Leroy F. Greene School Facilities Act of 1998 (Chapter 12.5 (commencing with Section 17070.10) of Part 10 of Division 1 of Title 1 of the Education Code). The purpose of the evaluation and examination shall be all of the following:

(1) Examine the standards to ensure that the standards achieve educational adequacy in terms of the facilities necessary for the school district to provide its educational program.

(2) Assess the level to which schools constructed with state funding assistance met standards for educational adequacy in terms of the facilities necessary for the school district to provide its education program.

(3) Examine factors within school districts that enable them to build facilities to meet educational adequacy.

(b) The Superintendent of Public Instruction shall report the findings to the Legislature, the State Allocation Board, and the Governor within nine months of the initiation of the evaluation.

(c) The Superintendent of Public Instruction shall evaluate the standards and examine schools, as required pursuant to this section, with the existing resources of the State Department of Education. If the Superintendent of Public Instruction determines there are

insufficient existing resources available to the State Department of Education to implement this section, the following shall occur:

(1) The Superintendent of Public Instruction shall notify the Director of Finance and may solicit and receive private funds for purposes of implementing this section.

(2) The Superintendent of Public Instruction is not required to complete the duties specified in the section until sufficient funds are available.

(3) The Department of Finance shall determine when sufficient private funds have been received to implement this section. When the Department of Finance notifies the Superintendent of Public Instruction that sufficient private funds have been received, the Superintendent of Public Instruction shall implement this section.







Approved \_\_\_\_\_, 2008

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*Governor*